

Application Serial No. 10/662,034

Attorney Docket No. 200309970-1

REMARKS/ARGUMENTS

Claims 1-14, 16-18, 20, 21, 28-34, 38, and 40-44 are pending in this application. Claims 14, 16-18, 20, 21, 28-30, 33, 34, 38, and 40-41 are allowed. Claims 1-13, 31, 32, and 42-44 stand rejected. Claim 11 stands objected to.

Claims 1, 11, 12, 42, 43, and 44 have been amended. Claims 31-32 have been canceled.

Claim Rejections - 35 U.S.C. § 112

Claims 1, 12, and 42-44 stand rejected under 35 U.S.C. § 112(1) as failing to comply with the written description requirement. Claims 1, 12, and 42-44 have been amended to clarify that the first first-in first-out (FIFO) buffer is coupled between the host processor over an internal bus, and that the first FIFO buffer is not coupled to the send machine over the internal bus. For example, as shown in FIG. 2A, the send FIFO 214 is coupled between the host processor 238 and the bus controller 208 over internal buses 252 and 216, but the send FIFO 214 is not coupled to the send machine 210 over either of the internal buses 252 and 216. Instead, the send FIFO 214 is coupled to the send machine 210 over a separate control interface 218. Further support for claims 1, 12, and 42-44 may be found, for example, on page 12, lines 1-10 of the specification.

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Claims 1, 12, and 42-44, as amended, therefore satisfy the written description requirement. Applicant therefore respectfully requests that the rejection of these claims under 35 U.S.C. § 112(1) be withdrawn.

#### Claim Objections

Claim 11 stands objected to for failing to provide antecedent basis for the phrase "the byte timer." Claim 11 has been amended to depend from claim 10, which provides antecedent basis for "the byte timer." Applicant therefore respectfully requests that the objection to claim 11 be withdrawn.

#### Claim Rejections - 35 U.S.C. § 102

Claims 1-4 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lui et al. (U.S. Pat. No. 6,182,180). The reasons stated for the rejection, however, fail to acknowledge the amendments made to claim 1 in Applicant's previous response. Instead, the rejection merely restates the reasons provided before the amendments were made in the previous response.

In any case, the rejection of claims 1-4 is moot in light of the present amendments made to claim 1. In particular, Liu does not disclose "a first first-in first-out (FIFO) buffer coupled to the send machine, the first FIFO further coupled between the host

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processor and the bus controller over an internal bus, the first FIFO not being coupled to the send machine over the internal bus." As described above, support for this limitation may be found, for example, in FIG. 2A and p. 12, lines 1-10 of the present application.

Even assuming for purposes of argument that the request queue 203 shown in FIG. 2 of Liu is a first FIFO buffer, that the message data register (MDR) 207 shown in FIG. 2 of Liu is a send machine, and that the system interface processor 201 is a bus controller within the meaning of claim 1, the request queue 203 of Liu is coupled to the MDR 207 over the same data bus as is used to couple to the request queue 203 to the system interface processor 201. In contrast, claim 1 as amended requires that the first FIFO not be coupled to the send machine over the same internal bus as is used to couple the first FIFO to the bus controller. Claim 1, therefore, patentably distinguishes over Liu. Claims 2-4 depend from claim 1, and therefore patentably distinguish over Liu for at least the same reason.

Claims 12, 28, and 43 stand rejected under 35 U.S.C. §102(b) as being anticipated by Johnson et al. (U.S. Pat. No. 6,122,758). The reasons stated for the rejection, however, fail to acknowledge the amendments made to claims 12 and 43 in Applicant's previous

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response. Instead, the rejection merely restates the reasons provided before the amendments were made in the previous response.

In any case, the rejection of claims 12 and 43 is moot in light of the present amendments made to claims 12 and 43. In particular, Johnson does not disclose "a first first-in first-out (FIFO) buffer coupled to the send machine, the first FIFO further coupled between the host processor and the bus controller over an internal bus, the first FIFO not being coupled to the send machine over the internal bus." As described above, support for this limitation may be found, for example, in FIG. 2A and p. 12, lines 1-10 of the present application.

The Office Action does not point to any portion of Johnson that discloses these limitations and Johnson does not in fact disclose these limitations. Claims 12 and 43, therefore, patentably distinguish over Johnson. Claim 13 depends from claim 12 and therefore patentably distinguishes over Johnson for at least the same reason.

With respect to claim 28, the Office Action does not point to any particular portion of Johnson that discloses all of the limitations of claim 28, and Applicant is unable to find any teaching in Johnson of all of the limitations of claim 28. Furthermore, both the Office Action Summary and p. 28 of the Office Action state that claims 28-30 are allowed. Applicant therefore

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traverses the rejection, if any, of claim 28 over Johnson, and requests that claims 28-30 be allowed.

Claim Rejections - 35 U.S.C. § 103

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. in view of Yoshida (U.S. Pat. No. 5,928,372). Claim 5 depends (indirectly) from claim 1. This rejection is therefore moot in light of the above-referenced amendment to claim 1, since neither Liu nor Yoshida, either individually or in combination, teaches or suggests all of the limitations of claim 1, as amended.

Similarly, the rejection of claims 6-8 under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. in view of Feeney (U.S. Pat. No. 6,072,781) is moot in light of the above-referenced amendment to claim 1. Claims 6-8 depend, either directly or indirectly, from claim 1, and neither Liu nor Feeney, either individually or in combination, teaches or suggests all of the limitations of claim 1, as amended.

Similarly, the rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. in view of Cao (U.S. Pat. No. 5,230,044) is moot in light of the above-referenced amendment to claim 1. Claim 9 depends from claim 1, and neither Liu nor Cao,

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either individually or in combination, teaches or suggests all of the limitations of claim 1, as amended.

Similarly, the rejection of claims 10-11 under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. in view of Webb (U.S. Pat. No. 4,577, 060) is moot in light of the above-referenced amendment to claim 1. Claims 10-11 depend from claim 1, and neither Liu nor Webb, either individually or in combination, teaches or suggests all of the limitations of claim 1, as amended.

Similarly, the rejection of claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Feeney in view of Cao and further in view of Webb is moot in light of the above-referenced amendment to claim 12. Claim 13 depends from claim 12, and none of the cited references, either individually or in combination, teaches or suggests all of the limitations of claim 12, as amended.

Claims 31 and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. in view of Yoshida. This rejection is moot in light of the cancellation of claims 31 and 32.

Claim 42 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Feeney, in view of Cao, and further in view of Webb. Claim 42 has been amended in the same manner as claim 1. None of the cited references teaches or suggests the limitations of claim 1, as amended. Claim 42, as amended, therefore patentably distinguishes over the cited combination.

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Claim 44 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Cao. Claim 44 has been amended in the same manner as claim 1. None of the cited references teaches or suggests the limitations of claim 1, as amended. Claim 44, as amended, therefore patentably distinguishes over the cited combination.

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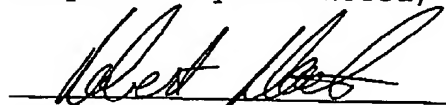
CONCLUSIONS

Any dependent claims not specifically referenced above incorporate the limitations of the independent claims from which they depend, and therefore are patentable for at least the same reasons.

If the Examiner considers the arguments presented herein not to be persuasive, the Applicant respectfully requests that the Examiner contact the Applicant to schedule an interview at a mutually convenient time.

If this response is not considered timely filed and if a request for extension of time is otherwise absent, applicant hereby requests any extension of time. Please charge any fees or make any credits, to Deposit Account No. 08-2025.

Respectfully submitted,



Robert Plotkin, Esq.

Reg. No. 43,861

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Date

Robert Plotkin, P.C.  
91 Main Street, Suite 204  
Concord, MA 01742-2527  
Tel: (978) 318-9914  
Fax: (978) 318-9060